

## FOSBURGH'S TRIAL BEGUN

### Pleads Not Guilty to the Charge of Killing His Sister.

**The Hearing of Witnesses to Be Started Today. It Is Expected That the State's Case Will Be a Mystery—Another Counsel for the Prosecution.**

PITTSFIELD, Mass., July 17.—Young Robert Stewart Fouburg was arraigned this afternoon at the bar of the Superior Court on charges of murder, manslaughter, criminal intent, and carrying a dangerous weapon. Judge Charles W. Stearns, who presided, refused to grant a verdict of not guilty to the indictment of manslaughter charging him with the killing of his eighteen-year-old sister, Mary Fouburg, in the family home on Westminister Street, this city, in the month of August last year. It was then that the state's case was first formulated against the young man that he had appeared before a legal tribunal of any sort.

Under the laws of Massachusetts an indictment for manslaughter may be found without any preliminary arraignment.

This course was pursued in the case of young Howe. He was asked for on the strength of evidence collected by the chief of police, Mr. Nicholson, who laid it before the District Attorney, Mr. Gardner, who in his turn presented it to the grand jury.

The indictment was duly found and young Fostburgh was arrested on a Saturday afternoon, which involved his being held in the city jail for the next day and hour sealed for his apprehension, he was unable to get bail until the following Monday. On the following Monday the required bond of \$100.00 was furnished and he was released on liberty. Thus it has happened that the accused young man has been living since the middle of last winter with this awful charge hanging over his head, and that the more trying from the very mystery which enveloped all the evidence on which the indictment was found, as well

To neither young Foshburgh nor his counsel, Mr. Hibbard and Mr. Joyner, has the highest regard for the honor of the State in going to produce, save what they may have happened to hear or have read in the newspapers. In other words, they know no more than the public at large. It is the talk of the town that the chief of police has some startling surprises prepared.

From a legal standpoint, moreover, the case is one of much interest. It is now understood that fully five persons who were in the room at the time the girl was killed will testify positively to the presence of burglars or intruders of some kind in the house that night. If there were burglars or intruders in the house, the testimony of the Foshburgh family would seem, most of all, to the ground. Therefore, so far as is known, the prosecution has lost the task of proving that the story of the burglars is a myth. If the young Foshburgh family testifies that there were burglars or intruders, then that the entire family has

The arraignment of young Foshburgh occurred just before the midday recess and the young man, who had been accompanied by his mother, standing before the judge and a reporter or two among the spectators. Herbert C. Joyner, of Great Barrington, who is associated with Charles Foshburgh, appeared as Foshburgh's legal adviser. The proceedings were purely of a routine nature. The indictment was read and the young man pleaded "not guilty." Foshburgh replied "Not guilty," and that was all there was to it.

District Attorney Hammond then asked the young man if he wanted to have John C. Crosby, of this city, authorized to assist in the prosecution. Judge Stevens took the young man into the courtroom for a short recess and then announced that Mr. Crosby might assist, but was not to take the lead or management of the case for

witnesses will be on the stand before the midday recess tomorrow.

### LORD RSEBERY'S ATTITUDE.

**His Position Declared Dangerous, if Not Impossible.**

LONDON, July 17.—Lord Rosebery's letter dealing with the present position of the Liberal party is the besting counterblast discussed its ultimate effect cannot be gauged.

The Liberal imperialists appear to be embarrassed and disinclined to adopt Lord Rosebery's implied advance to break away from the remainder of the party. On the other hand, the anti-war element are criticising the letter as mischievous, are generally pleased because they believe Lord Rosebery has excluded himself from further leadership.

The ex-Prime Minister's friends do not share the latter view, believing he is willing

Sir Edward Grey, who is one of the strongest supporters of the Liberal imperialists, made an important speech this evening. He frankly but not bitterly declared that Lord Rosebery's attitude was a dangerous if not an impossible one. If he wished unity in the party he ought to use his influence to achieve it, a view which Sir Edward's audience loudly applauded.

**CLEANING THE CONSTITUTION.**

**The Yacht Hauled Out of the Water at Herreshoff's.**

BRISTOL, R. I., July 17.—The Constitution was hauled out on the marine railway at Herreshoff's this morning.

Her underbody is being thoroughly cleaned, a new steel graft has been slung and the other spars repainted.

**AFTER THE CORPORATIONS.**

**Mayor Tom Johnson Continues His Tax Campaign.**

Tom Johnson's arrival is continuing its onslaught on the corporations. Today it took on the valuation of the Cleveland Gas Light Company, whose tax return was \$28,000.

No decision was reached, the hearing occupying all day and going over till tomorrow, when it is expected the valuation will be raised about \$4,000,000.

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**\$6 Seashore Week-End Trips. \$60**  
**Via B. & O. R. R.**

Beginning July 5, all trains Fridays and Saturdays; good to return until following Tuesday, to Atlantic City, Cape May, Sea Isle City, and Ocean City; \$6 for the round trip.

